

Exhibit 3

[Home](#) [Protecting Women and Children](#) Sex-Based Definitions

Sex-Based Definitions

Background

President Donald Trump issued Executive Order 14168 on January 20, 2025, entitled "Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government," which directs the Department of Health and Human Services (the Department) to promulgate clear guidance to the U.S. Government, external partners, and the public, expanding on the sex-based definitions set forth in the Executive Order.

Defining Sex

There are only two sexes, female and male, because there are only two types of gametes. An individual human is either female or male based on whether the person is of the sex characterized by a reproductive system with the biological function of producing eggs (ova) or sperm.

The sex of a human, female or male, is determined genetically at conception (fertilization), and is observable before birth. Having the biological function to produce eggs or sperm does not require that eggs or sperm are ever produced. Some females or males may not or may no longer produce eggs or sperm due to factors such as age, congenital disorders or other developmental conditions, injury, or medical conditions that cause infertility.

A person's sex is unchangeable and determined by objective biology. The use of hormones or surgical interventions do not change a person's sex because such actions do not change the type of gamete that the person's reproductive system has the biological function to produce. Rare disorders of sexual development do not constitute a third sex because these disorders do not lead to the production of a third gamete. That is, the reproductive system of a person with such a disorder does not produce gametes other than eggs or sperm.

The Department has long recognized that the biological differences between females and males require sex-specific practices in medicine and research to ensure optimal health

outcomes and rigorous research, including by considering sex as a biological variable.

Recognizing the immutable and biological nature of sex is essential to ensure the protection of women's health, safety, private spaces, sports, and opportunities. Restoring biological truth to the Federal government is critical to scientific inquiry, public safety, morale, and trust in government itself. Accordingly, the Department promulgates the following definitions:

Definitions

- **Sex** is a person's immutable biological classification as either male or female.
- **Female** is a person of the sex characterized by a reproductive system with the biological function of producing eggs (ova).
- **Male** is a person of the sex characterized by a reproductive system with the biological function of producing sperm.
- **Woman** is an adult human female.
- **Girl** is a minor human female.
- **Man** is an adult human male.
- **Boy** is a minor human male.
- **Mother** is a female parent.
- **Father** is a male parent.

RELATED TOPICS

[Women](#)

[PRINT](#)

[SHARE](#)

Page last updated on: February 19, 2025

Protecting Women and Children

Defending Women

Protecting Children

Keeping Men out of Women's Sports

Sex-Based Definitions

The Female Athlete Triad in Sports

Women's Health Research

Find a Health Center



Enter a city, ZIP code (such as 20002), address, state, or place



Subscribe

To receive email updates

Submit

[Return to top](#)

About Us

[Who we are](#)

[What we do](#)

[Work with us](#)

[Our vision and mission](#)

Programs and Activities

[Health Information Gateway](#)

[It's Only Natural](#)

[Make the Call, Don't Miss a Beat](#)

[National Blood Pressure Awareness Week](#)

[National Women and Girls HIV/AIDS Awareness Day](#)

[National Women's Health Week](#)

[Stronger Than Sarcopenia](#)

[Supporting Nursing Moms at Work](#)

Popular Topics

Autoimmune diseases
Breastfeeding
Carpal tunnel syndrome
Depression
HIV and AIDS
Menstruation
Polycystic ovary syndrome (PCOS)
Pregnancy
Thyroid disease
All A-Z health topics

Find Help

Get breastfeeding help
Get health care
Get health insurance
Get help with family planning
Get help with mental health
Get vaccines
Find girls' health information

Stay Connected

Blog
Contact us
Media inquiries
Social media

Subscribe to receive OWH updates

[HHS Non-Discrimination Notice](#) | [Language Assistance Available](#) | [Accessibility](#) | [Privacy Policy](#) | [Disclaimers](#)
| [Freedom of Information Act \(FOIA\)](#) | [USA.gov](#) | [Use Our Content](#) | [Vulnerability Disclosure Policy](#)

Language Assistance Available

[Español](#) | [繁體中文](#) | [Tiếng Việt](#) | [한국어](#) | [Tagalog](#) | [Русский](#) | [العربية](#) | [Kreyòl Ayisyen](#) | [Français](#) | [Polski](#)
| [Português](#) | [Italiano](#) | [Deutsch](#) | [日本語](#) | [فارسی](#) | [English](#)

A federal government website managed by the Office
on Women's Health in the Office of the Assistant
Secretary for Health at the U.S. Department of Health
and Human Services.

1101 Wootton Pkwy, Rockville, MD 20852 | 800-994-
9662, Monday through Friday, 9 a.m. to 6 p.m. ET
(closed on federal holidays)

